

#9 USC



Attorney Docket No.: I4060/249318

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

	Gary A. Ort Mertl, <i>et al.</i>	}	
		}	
Serial No.:	10/010,054	}	Art Unit:
		}	
Filed:	December 7, 2001	}	Examiner:
		}	
For:	DUAL DENSITY CLING FOAM	}	
	SPACER	}	

Assistant Commissioner for Patents  
Washington, DC 20231

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INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with Rules 56, 97 and 98 of the Rules of Practice in Patent Cases (37 C.F.R. §§ 1.56, 1.97, and 1.98), the publications listed on the modified Form PTO-1449 are enclosed with this submission for consideration by the Examiner.

Submission of the references provided in this Information Disclosure Statement is not intended to constitute an admission that any reference referred to herein is prior art for this invention unless specifically designated as such. Also, in accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that an

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CERTIFICATE OF MAILING (37 CFR 1.8a)


I hereby certify that this correspondence, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on this 10<sup>th</sup> day of July 2002 with sufficient postage as first-class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

U.S.S.N.: 10/010,054  
Filed: December 7, 2001  
For: Dual Density Cling Foam Spacer  
INFORMATION DISCLOSURE STATEMENT

exhaustive search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists.

This Information Disclosure Statement is being filed before the issuance of a first office action on the merits of the application (37 C.F.R. 1.97(b)(3)); therefore, no fee is believed to be due. If a fee is due, the Commissioner is authorized to charge such fee and any additional fees that may be due or credit any overpayment to Deposit Account No. 11-0855.

Respectfully submitted,

  
Geoffrey K. Gavin  
Reg. No. 47,591

Date: July 10, 2002

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Sheet 1 of 1

Form PTO-449

Docket No.:

14060/249318 (IRC296)

Application No.

10/010,054

INFORMATION DISCLOSURE  
CITATIONIN AN APPLICATION  
(Use several sheets if necessary)

Applicants:

Gary A. Ort Merl and Connie D. Hensler

Filing Date:

December 7, 2001

Group Art Unit

## U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	5,328,937	07/12/1994	Cascino	521	73	
	4,269,889	05/26/1981	Takagi	428	315	
	4,190,697	02/26/1980	Ahrens	428	315	
	3,954,537	05/04/1976	Alfter <i>et al.</i>	156	82	
	3,872,199	03/18/1975	Ottinger	264	46.4	
	3,816,233	06/11/1974	Powers	161	159	
	3,790,436	02/05/1974	Graham, Jr. <i>et al.</i>	161	161	
	3,709,966	01/09/1973	Gambardella	264	46	
	3,616,029	10/26/1971	Lerman	156	276	

## FOREIGN PATENT DOCUMENTS

	Document Number	Date	Country	Class	Subclass	Translation	
						YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


Examiner:

Date Considered:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.